IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
SECOND APPEAL NO. 338 OF 2004

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

Mr.Machindra Patil for the Appellant

CORAM: A.S.OKA, J.
DATED: JULY 25, 2006.

P.C.:

1. Heard Shri Patil for the Appellant. The Appellant is the original Plaintiff. By order dated 20th April 2000 the learned Trial Judge dismissed the suit as withdrawn on the basis of the pursis of the withdrawal filed by the Appellant at Exh.65 and Exh.73. An Appeal was preferred by the Appellant to the District Court against the said order. Appeal was rightly dismissed as not maintainable.

2. The original order passed in the suit is of the dismissal of the suit as withdrawn. The said order was passed on the basis of the withdrawal pursis filed by the Appellant. The said order cannot be construed as a decree. In view of this position, there is no merit in the Appeal and the same is dismissed with no order as to costs.

Judge.